



NORFOLK

TO: The Honorable City Council

REVIEWED: Ronald H. Williams, Jr. Deputy City Manager

FROM: George M. Homewood, AICP, CFM, Director, Department of City Planning

COPIES TO: Leonard M. Newcomb III, CFM, Assistant Director, Department of City Planning
Susan Pollock, CFM, Principal Planner, Department of City Planning

SUBJECT: Application for a conditional rezoning at 3210-3214 Herbert Street – Robert Feinman

DATE: October 9, 2015

On the October 27, 2015 public hearing agenda, City Council will be reviewing a request to rezone property located at 3210-3214 Herbert Street from R-7 (Single-Family) to conditional R-8 (Single-Family). This site is located within the Greenwood/Elmhurst/Norview Heights neighborhood and is currently developed with two single-family homes. The applicant proposes to resubdivide the existing two lots into four lots, each with approximately 50 feet in width and 5,000 square feet in lot area. The purpose of the rezoning is to allow for the construction of four new single-family homes where only three are permitted under the current zoning district (R-7).

As a conditional rezoning, proffers can be offered by the applicant, and only by the applicant, in an attempt to mitigate potential negative externalities associated with a change in zoning. For this application, the single proffer is that the homes to be developed on the site will conform to the elevations provided. These elevations, titled "Oakdale A, B, and C models," were presented to the Greenwood/Elmhurst/Norview Heights Civic League. On September 21, 2015, the Civic League voted to support the application with the assurance that the four homes would adhere to the Oakdale models and that the three different elevations would be used throughout the four lots.

Planning staff recommended denial of the application for various reasons. A lot-pattern analysis was conducted, concluding that the proposed rezoning would be inappropriate for this neighborhood given that a majority of lots have a square footage greater than or equal to 6,000 square feet and lot widths at least 60 feet wide, which are the lot requirements of the R-7 district. The proposed development would result in lots smaller than the majority of lots in the neighborhood, which may have a negative impact on the neighborhood.

Another factor that Planning staff considered in its negative recommendation was the proposal's adherence to the City's general plan, *plaNorfolk2030*. The general plan identifies this site as single-family traditional. The single family traditional designation is applied primarily to neighborhoods that were developed prior to World War II. These neighborhoods were generally developed with a grid pattern of streets, smaller lots, sidewalks, front porches or stoops, and detached garages located in the rear, if there were any garages at all. It specifically recommends lots of 50 to 70 feet wide and approximately 4,000 to 7,500 square feet. Staff typically recommends that garages be located behind the front line of the house, at a minimum, to reduce the prominence of garages in neighborhoods that do not typically have front-loaded garages. Since the proposed rezoning would permit four single-family homes on 50-55 foot wide, 5,000 square foot lots, it meets the lot size standards established by *plaNorfolk2030* for the single-family traditional land use category. However, the proposed "Oakdale" elevations indicate garages projecting out from the front of the house, making the proposed rezoning not fully consistent with *plaNorfolk2030*. Due to this design inconsistency, Planning staff was unable to recommend approval of the application with the single proffer ensuring compliance with the "Oakdale" elevations. The applicant has been unwilling to consider proffering that the design of the homes go through the City's administrative design review process, which ensures compatibility with the surrounding built environment. The City Planning Commission members encouraged the applicant to defer the application to develop designs more compatible with the existing residential development within the neighborhood. However, the applicant declined to do so.

After conducting a duly advertised public hearing on September 24, 2015, at which the applicant provided comments, the Planning Commission voted **0 to 7** to recommend **denial** of the application considering the negative recommendation from staff, the inconsistencies with the prevailing lot pattern in the neighborhood and general plan, and the lack of sufficient proffers to ensure an appropriate building form is maintained.

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